

# Exhibit A

Macris - 5/3/16

Rep: Hello, My name is Tony. Can we start with you first and last name please?

Plaintiff: My name is Mark Macris

Rep: Hello Mark, How are you

Plaintiff: I'm fine, how are you?

Rep: I'm having loads of fun. Thanks for asking. What can I do for you sir?

Plaintiff: Reason why I am calling, I have emailed some documents to your office in regards to this case and I wanted to speak to someone in regards to the documents.

Rep: well your talking to the right person.

Plaintiff: oh, perfect

Rep: Well I am going to ask you Mark, I don't know what's going on but it sounds like you have a cup over your phone so I'm having a hard time understanding you.

Plaintiff: Ahhhh, hold on

Rep: That's better, whatever you did.

Plaintiff: ok, maybe I am speaking into the phone a little bit better

Rep: Excellent, now I can hear. So basically you want an update Mark?

Plaintiff: Correct

Rep: okay, let me go through a couple quick things and I will let you know where we're at, Okay?

Plaintiff: Sure

Rep: Okay, So we have a phone number of 716-812-8224, correct

Plaintiff: Correct

Rep: Is that a Landline or cell phone?

Plaintiff: Cell phone

Rep: Okay, let's get that to the right place then and is it okay if we contact you on this cell phone?

Plaintiff: sure

Rep: okay, and would you like to add any other contact numbers at this time?

Cleint: nope

Rep: okay, I have a little disclaimer to read to you in regards to this: you are consenting to us to contact you for all matters at this cell phone you provided including telephone calls made by an automated system.

So Mark, I am your specific point of contact and I am here from 6am-3pm MST. That includes to you basically 8am-5pm.

Alright I do not have an email address for the file

I have documents in as of 5/1. Let's see what they are saying:

Plaintiff: I emailed the documents to you last week.

Rep: Okay, well the image just says 5/1, so you sent them Thursday or Friday?

Plaintiff: It was Thursday, Correct.

Rep: yeah, So Let me go through a couple quick things. I can see that the only issue is, well, couple things, first off they said that the divorce decree didn't actually award anyone the property, they say that Catherine can live at the property or occupy it but it does not actually grant her the property. Would this be correct?

Plaintiff: ok, well according to that court document. That is correct. The document that I sent to you as an order of reference and was reviewed by your attorney and by your investors. And that according to my divorce decree and to your attorney they have alleviated me from this. That's what the document is and is signed by the judge. That's what I sent your office last week.

Rep: Okay, Well that's not just what they say, do you happen to know...

Plaintiff: I'm sorry, that's what who says?

Rep: Well their saying that it does not specify, on the back side, for our intake, I'm going to go ahead and double check and look.

Plaintiff: It didn't specify what?

Rep: The divorce decree and see so you're saying that it releases you?

Plaintiff: Correct, it's done. It's already been done by the state of New York to release me from this. That's what the court document is that I just sent to your office last week. That it was approved by your attorney, Kurt Odebock. They looked at everything; they said "no you don't have to be part of this". So the courts, this was brought to the courts and the courts ordered me to be released from this.

Rep: I'm just looking for exact words.

Plaintiff: Do you have the order of reference?

Rep: Yes, I'm looking at it right now.

Plaintiff: Okay.

Rep: It mentions mortgage but it doesn't mention which mortgage. So I don't have a property address in here, so that's going to be the biggest glitch on there. Because it makes this really vague.

Plaintiff: The property address is listed on the first page.

Rep: Alright, what I'm going to have to do some checking. Now I'm going to tell you IF this all is good and we don't have to, and this says that you are all taken care of and we only have to worry about Catherine. I will need a filed quit claim deed. Are you familiar with what that is?

Plaintiff: No

Rep: What a quit claim deed is you're going to file some paperwork removing yourself from the title. Saying that your done with the property and want nothing to do with it.

Plaintiff: I'm not on the title or the deed. Catherine took me off the deed and the title.

Rep: I don't know she can do that without forging your signature requesting that you be removed.

Plaintiff: Well, I'm not even on the new note for this mortgage.

Rep: Well, Awesome. Well the new note on ... There, okay, this is going to be a ruff thing Mark and unfortunately this is going to be a plain black and white, there is virtually no way around it. You and Catherine took the loan out and banks will not remove one of the barrowers. You can get court orders all day until the cows come home.

Plaintiff: Okay, but this court order was approved by your attorney and your investor. This is done by you. Your company did. Not some third party. I'm not trying to give you a hard time but your company and your attorney approved this. Your company did.

Rep: Well, they may have approved the paperwork said you have good solid paperwork. Which you gotta double check and make sure because I'm not a legal attorney on that. But what I'm saying you don't get removed from the loan. The court order can say Yeah he is not responsible for it. Bottom line, this is the ugly truth, banks don't remove barrowers, because that cuts down on their ability to recoup any losses. Therefore,

Plaintiff: You guys already removed me from it. That's what this court document is. Your company removed me not someone else. Your company and your attorney who is paid to come after me and Catherine looked at my information and said "look Mark you know what, we are taking you out. You shouldn't even be part of

this" And they went through their legal process and it's just here sign this. So your telling me that this judge's order is not valid. This is signed by a judge.

Rep: I understand what you said Mark but a judge cannot order a lender to remove someone unless they were added to their due to fraud. A better way of throwing it out there.

Plaintiff: But the judge just did this.

Rep: Okay, Unless you were actually not the Mark Macris that signed and got the loan a lender does not have to, I'm not saying we didn't agree to it, I don't know, that's a whole different subject I don't know.

Plaintiff: You guys agreed to remove me from this.

Rep: And in there lies the issue. I'm not arguing with you Mark, I'm not saying we did, what I'm saying is you haven't been. So I have to get a few things clarified so I can make sure this is all going appropriately for you. I understand what you're saying Mark. I was in banking for over a decade. Okay. And I only say someone removed once out of that entire time. And I dealt with mortgages and credit cards and anything you could go get money from at a bank, I dealt with it. So, like said I'm not saying your wrong. I'm saying I have to double check a few things so I can attempt to get this taken care of so we can move forward for you. Okay Mark.

Plaintiff: Okay, what's the time table on this?

Rep: I'm going to ask you to hold 3-5 min because unfortunately when you and I hang up I have to move onto the next call.

Plaintiff: Correct

Rep: So please have some patience while I try to get this taken care of for us and place you on hold.

HOLDING

Rep: Alright, you still there sir?

Plaintiff: Yes

Rep: Sorry about that wait sir. I have talked to a few different people, what I'm doing right now is I'm going to work on getting this escalated. So that I can try to get this resolved for us so give me a few minutes.

Plaintiff: Mmm.. hmm

Rep: I didn't wanna leave you on hold any longer

Plaintiff: That's alright.

Have you ever seen an order like this before?

Rep: well, Yes and no. Reason why is I have seen several court orders saying hey yeah they are no longer responsible, blah blah blah. Those court orders can come in all day long. They cannot make us remove a barrower unless it was a fictitious deal. So Catherine got someone to pose as you. Then those yeah we can do. But typically, no, because as soon as we remove one person from the loan that cuts our chances by 50% of recouping the money. And that is exactly how the bank will look at it.

Plaintiff: But here is the question: This was approved by you and your attorney.

Rep: In regards to that, it is involving US Bank and that is the only thing that is giving me cause to doubt my normal stance. My normal stance is yeah I don't care. You're responsible, let's get this done. That stops that and says Tony, there is a possibility this is exactly what this is saying but it is well beyond me to make any type of calls on that. I have to go ahead and get our legal department involved. And they can go ahead with you and they can go ahead and update the system. So once the system is updated, as long as they say yes. They said Mark is no longer responsible, boom you're no longer on the file. Were only with Catherine and we only getting her stuff and you're in the win man, you're done.

Plaintiff: I did a lot of correspondence with Kirk Goldenback, to even think about this. And I mean he is an attorney, he isn't a bank officer. When he read, and I sent him my divorce decree, He agreed, He said you know what Mark, this happens many years ago and he gave his professional opinion he said you know what I don't think that you should be responsible for this mortgage., And the legal process he had to go back to your people and your investors. This takes time of course. He has to write legal affidavits to your company and investors saying that I don't think Mark Macris, in my opinion, based on all of this should be, he should not be on this anymore. And it has to go through all the channels of your people and all of a sudden they take this to court, NYS Supreme Court, your attorney and your group said "nope, were letting Mark go". I mean I could see if it was someone else who had agreed to this. But it's your people. I don't want to sound like a broken record but this is your people who are the ones who agree to it.

Rep: See that's what gave me the pause when I saw the two different groups, bc if it was just you and Catherine. I would tell you that you don't have a leg to stand on. But since it's US Bank v. Mark and Catherine, whole different world. So for what you told me I'm not discounting it. It more than likely, everything you just said and please don't take this as mean, I'm just very blunt in case you haven't noticed in the conversation, I think what your saying has some validity. It's an extreme rarity but if you got a dime more power to you, but until my system shows only Catherine and not you there's nothing I can do in regards to it.

Plaintiff: Well, when I received this copy, I went through the channels. I spoke directly with Kirk Goldenback, I asked him if this information is going to be forwarded to the loan services. He said it's not his job and it's not his responsibility. So I don't know that. That's why the consumer has to take the incentive on himself to do that. So that's above my realm of understanding. You



would probably know more about this bc you have been in banking. I audited insurance companies for a living.

Rep: Yeah, I mean with this. It just boils down to if the investor agreed to it, yippy you're done. According to this document it looks like they did. I just have to get people who have the degree I guess to go ahead with you ...

Plaintiff: The attorneys?

Rep: Yeah, whether it's an attorney or whoever above me, and reviews it and removes you from the file. I cannot do anymore then say, hey, here are the documents. Can you get this taken care of? That's essentially what I did. I said hey, we got this in saying that we should remove barrower one, which is you Mark Macris, please advise, review the documents. So they should be able to go in there and get that taken care of. And fingers crossed and get you off of that so we can move forward and take care of everything else we have, and I think, let's look here, ..

Plaintiff: Obviously, this is a couple hundred thousand dollars. I can understand the specialized loan service and that they aren't just going to say we don't think.. they wanna hold everyone accountable as legally as possible. I understand that.

Rep: And so I mean, It looks like we have gotten everything to move forward except for your end so now I'm just going to hope over on devil's advocate for you, if this inst able to go through for whatever, I'll need the RMA and 4506 T from you and also need the assumption, you don't live there you live somewhere else, correct?

Plaintiff: I have never lived at that address

Rep: So do you own the property you are in or are you renting?

Plaintiff: Oh, the current property, No I rent.

Rep: The reason why I'm asking, you send in the RMA, 4506T and your rental agreement where you can say, Hey I don't live there I and proof of income. I'm just giving you worst case scenario. Of what I would need from you. Now, In regards to all of that I'm going to hope things go through for the best of you, I don't want to wish ill on anybody, or taking sides. Truly, Mark, this file don't close I don't get paid for it. I want it to close so I want to get it resolved. Anytime you involve legal, as you already know, that's lows everything down.

But I do have everything set up so hopefully we will have an answer and have it resolved within the next two weeks.

So, all I can do is wait.

Plaintiff: Who do I need to correspond with to check in with in regards with this?

Rep: I would be the best one to contact because ei'm the point of contact on the file. They should send me an email letting me know whats going on. Worst case scenario they drop you off in the system and leave Catherine in as the only one. At

that point in time I could probably get everything pushed through and you and I would never have to talk again.

Plaintiff: Okay, you said that was the worst case scenario.

Rep: I'm sorry that's best case. Worst case, you and I have to go through this again and I have to get documents from ya.

Plaintiff: Right, ok. So it's more or less up to these other people. What the solution is and what they determine it as.

Rep: Yes. I can't make any decisions, I can't do anything in regards to this.

Plaintiff: No, it's 250 thousand, or something. What is the actual amount? You can probably tell me.

Rep: I have a principal unpaid balance of \$188,706 and a negative escrow of \$46,963.95, is what my system reflecting and the property is in foreclosure so that brings it up, you're probably pretty close to your estimate for an overall payoff.

Plaintiff: Right

Rep: Like I have said I only saw this happen once in my life so maybe I'll get to see it twice.

Plaintiff: Maybe you will, you never know

Rep: I'm not that old yet, there is plenty of things for me to see I guess.

Plaintiff: There are many things to learn left

Rep: It's a waste of a day if you don't learn something.

Plaintiff: okay, well I don't want to keep you anymore, so I will wait to hear. Obviously, looking at my credit I owe \$250 thousand dollars to specialized loan servicing and that's not a good thing and with foreclosure and all that. Hopefully, this will get cleared up and that will get wiped off.

Rep: That's what I'm hoping. What else can I do for you today?

Plaintiff: That's all for today,

Rep: Well, I do appreciate your time and patience. I hop eyou have a wonderful day sir.

Plaintiff: Do you have a call ID # for reference?

Rep: Yep, ID # 11328 so you know, as long as I'm assigned to the file, the system will auto route you over to me.



Plaintiff: Alright, ok Tony. Have a good day.

Rep: You to sir.

CALL ENDED

**Mark Macris**  
**May 10, 2016**

Rep:

Thank you for calling Specialized Loan Servicing, my name is Myra, may I please have your full name?

Plaintiff:

Hi Myra, how you doing today? My name is uh Mark Macris.

Rep:

Thank you very much sir. And I'm doing well thank you for asking. How about yourself?

Plaintiff:

I'm doing good. I'm doing good.

Rep:

That's good to hear and how can I help with today sir?

Plaintiff:

I had uh spoke with Tony last week. I believe he is in your office.

Rep:

Yes Sir

Plaintiff:

Uh, with regards to, uh the uh mortgage situation with me and he had advised me that he was going to uh send off all of my information to um some higher up people to to uh uh court order and I'm I'm calling back because I want to check status of that and I haven't received any notification or documentation from your office about it.

Rep:

Ok, let me take a look here...and this was to remove you from the loan right?

Plaintiff:

Correct, and that's loans, delinquencies and all that stuff.

Rep:

Ok, let's see.

\*\*\*PAUSE\*\*

Ok so that one is still pending for completion, um cause when we open requests they give us a time frame of how long they have to get that completed, so it was open on the 3<sup>rd</sup> of May which was a week ago from today. And it would take another week from today so it will be completed by end of business of the 17<sup>th</sup> of May. So that is basically the time frame that they have to get this completed for for yourself and also for us. So once we get that completed then he will go ahead and follow up with either you or whoever we have authorized on the account to give that status um on the file.

Plaintiff:

Okay, now...

Rep:  
Mmhmm

Plaintiff:  
Alright so on the 17<sup>th</sup> is when this will be done

Rep:  
End of business on the 17<sup>th</sup> so you can probably follow up the next business day and see if if um where we are with that at that point but it should be completed by then.

Plaintiff:  
Okay, great, alright, um I have a question now, are you, because obviously this is being reported on my credit and all that. Do you supply documentation or do you go back to the credit bureau to remove me from this? How does that work?

Rep:  
I think we should be sending that over to the credit bureaus to get that um fixed. You can say. Um for it not to report on the credit so now were you...was this court ordered just filed though? To remove...

Plaintiff:  
As far as?

Rep:  
To remove you from the loan? Was it just filed? Or how long as it been...that?

Plaintiff:  
I, I haven't had any legal rights to that property for a number of years

Rep:  
Okay

Plaintiff:  
So, I, it's, it shouldn't even, to be honest with you, this should never even have been into your hands when the foreclosure proceedings started

Rep:  
Uh huh

Plaintiff:  
I contacted Davison Fink, your attorney.

Rep:  
MMhmm

Plaintiff:  
I sent in all my paperwork, my divorce decree, everything that relates to, to this mortgage that I have no legal right to the property. I am not even on the. There is a new note done in 2010 that I'm not even on it. I'm not even on the deed either. I was removed from the deed and I was removed from the note. Now, your attorney...

Rep:  
Mmhmm

Plaintiff:  
Davidson Fink, you're familiar with them?

Rep:  
No, but I mean we don't talk to them, it's just the...

Plaintiff:  
Right

Rep:  
The foreclosure attorney that we have on file for the foreclosure you can say.

Plaintiff:  
Right

Rep:  
Mmhmm

Plaintiff:  
Right, I, I spoke to your, to your foreclosure attorney about this situation

Rep:  
Okay

Plaintiff  
He read, he he read all of my documents and, and he agreed with me that I shouldn't even, I should not even be with you guys, I should not be on this mortgage due to this. Now obviously, this was back last April and there is there is always a channel of everyone of who to go to, to have me removed. Now, he, he provided documentation to the bank, your trustee, your investors to have me removed completely from the application delinquency of this mortgage and order of reference was filed, which takes time, I mean they had to go to court um to have me completely removed and it was signed by a judge and uh, when Anthony looked at it first, he said wait a minute, this is, this is the bank approved it, it's not, it's not the bank and the investors approved to have me removed so it's just not Specialized Loan Servicing itself it's the one who, who the money is owed to

Rep:  
Okay I see. I mean they should... They should be fixing that on your credit you can say but what I would suggest for you to do, is um, you can submit a letter, a qualified written request you can say, that's what we call it, to INAUDIBLE in reference to that um and ask and see if that's gonna be how it's going to impact you on your credit if it's gonna be completely completely removed from the time that you know that the loan originated or you know, or what or from what time is it gonna reflect that it that you're not gonna be you can say um penalized for that credit reporting for for that.

Plaintiff:  
Well, I, I

Rep:  
For the loan

Plaintiff:  
I, I, I already spoke to my attorney about it

Rep:  
Okay

Plaintiff:  
showed him all the documentation on it and he said, they need, they, Specialized Loan Servicing, based on based on not being on the deed, based not being on, not being on, but not only not being on the deed, it's my divorce decree and also based on not being on the new, new note that was signed in 2010...yeah you guys need to remove me completely.

Rep:  
Okay...so then at that point what I would suggest for you to do, I mean if that's what your um attorney advised you then you know then that's that's the information he gave you um but I can't really confirm that information with you cause obviously I'm not sure, so that's why I was asking for you to send over that letter um

Plaintiff  
Right...Well I sent over an email

Rep:  
Huh huh

Plaintiff:  
I sent I sent over an email just for reference to the account service department who I guess, I was directed t contact them about this to removed me from the loan and delinquency of the mortgage and and remove any delinquency tht pertain to credit reports so I have already emailed your office that information.

Rep:  
Okay, so they will be responding to you as well as well as the mail you can say, they have up to 30 days to give you a response for your request just so you know. Um so I will go ahead and notate the account and...

Plaintiff:  
Yeah because right now, right now it's still showing that I'm, I owe Specialized Loan Servicing 250,000 dollars.

Rep  
Right, so this file, like I said the request for for what Tony opened being that he is the agent assigned, it won't be completed until end of business of the 17<sup>th</sup>. So if you would like you could follow up later on a day after that date to see where we are with that, um I also do need to let you know his hours are from 6:00AM – 3:00PM Mountain Standard Time if you ever need to speak with him. And just to confirm you need to verify your phone number that I show on the file which is the number you're calling from today um and other than that no um additional contact information for you correct?

Plaintiff:  
Okay

Rep:  
Okay

Plaintiff:  
Um, yeah yeah, I mean that's that's, that's my phone number and you can, you can um reach me reach me at that number, I just, obviously I want to have this removed from my credit. \*laughs\*

Rep:  
Right.

Plaintiff:  
Um and well obviously, obviously, obviously the delinquency and the delinquency and the credit does not favor too well with my rating and um you know I just, I understand the bank's position but but once they looked at all my documentation and including the bank and including your attorneys that know, that's why they had to go and file to have me removed

Rep:  
Right, okay

Plaintiff:  
Which which which was approved by your attorneys, the bank, the judge, the judge signed the order, so I guess that's that's the legal process of having me removed or something

Rep:  
Okay, no and I understand and I do see your letter that you sent over, It looks like we got it on the 2<sup>nd</sup> and a letter has been sent out via mail to 403 Cheekwood Terrace I believe it is Amherst NY 14221 so um I'm thinking that's probably where you reside, correct?

Plaintiff:  
No, no I don't, I don't think, I. Well, yeah, no I haven't resided there in 8 almost 8 years

Rep:  
Okay, well this letter went out to that address to advising you that your request is under review and if you can allow about 3 business days turn around time to get a response issued to you so what I can do if you would like I can go ahead and um if you want me to I can request for this letter to be sent to you by email if you want to give me an email. Um.

Plaintiff:  
Yes

Rep:  
What is that email for you?

Plaintiff:  
K, it's uh mark, M-A-R-K, my first name and my last name M-A-C-R-I-S at yahoo.com. Just my first and last name at yahoo dot com. No dots or underscores.

Rep:  
Okay so let me open this request real quick, give me just a moment.

\*\*\*HOLD\*\*

Rep:

Okay so I went ahead and opened that request here for you, okay and I will see if we can um request and see if that can be sent to you by today. So that..

Plaintiff:

By email

Rep:

Mmhmm, yes sir

Plaintiff:

Okay

Rep:

So based on that letter is just advising you that your request is under review ok and for you to allow about 30 uh business day turn around time for for the company to give you a status or response to your request, um but that ticket that Tony opened will be completed by end of business of the 17<sup>th</sup> so you can follow up with him later on that week um...

Plaintiff:

Well

Rep:

Mmhmm

Plaintiff

Now when he says the 17<sup>th</sup> is when you guys are gonna officially say that Mark Macris does not owe this money to Specialized Loan Servicing?

Rep:

well that's the request that he opened, so...

Plaintiff:

Right

Rep:

Right, so so at that point then once, that, that request gets completed then they will go ahead and notate the account and at that point they can relay that information to you and see where we are with with this whole process of removing you from the loan itself.

Plaintiff:

Right

Rep:

Right, mmmhmm yes sir



Plaintiff:

Okay, alright, because Tony, I mean, I don't know if you work with Tony but he was, he was trying to tell me that, well, people don't normally, borrowers don't get removed from loans and blah blah blah and when he looked at it again, he said oh wait a minute, this is, this was approved by the bank and he said he looks at court orders all the time and ah, advises attorneys about things and everything and when he realized that okay, this is a property, US bank and trustees and everyone had approved this, and then he was like yes this is fine, so I just want to get this cleared up that's all.

Rep:

No and, we will we will get it cleared up for you, um, so on, if you can just give us until the end of business on the 17<sup>th</sup> if you would like to call us the next business day of the 18<sup>th</sup>.

Plaintiff:

I will

Rep:

Then Tony should have a status for you at the point and see where we are with that request, okay?

Plaintiff:

Alright, ok, thank you

Rep:

You're welcome sir, you have a good day

Plaintiff:

Okay, you too bye-bye

Rep:

Bye-bye

Transcript for 5/17/16

Rep: Thank you for calling Specialized Loan Servicing this is James may I have your name please?

Plaintiff: Hi uh James, my name is uh Mark Macris.

Rep: Thank you. How are you today?

Plaintiff: Good, how are you?

Rep: Good, good, good, good, thank you for asking. And now let's see, how can I help you today?

Plaintiff: James, what I'm calling about was um, I had spoken with Tony a couple weeks ago about my account, I believe he's the person who handles my account, and uh went over some court documents with him um with regards to um my position on this loan and uh he had informed me that um the court documents were stating that um I'm going to be removed from this loan and delinquency and I'm calling back to check the status of this, I have not seen any updates about this or any correspondence?

Rep: not a problem, let's see, mailing address for you shows as 43 Teakwood Terrace in Amherst New York 14221?

Plaintiff: No, that's not my mailing address.

Rep: Okay. And um what would the mailing address be?

Plaintiff: uh two seven zero Miller Road common spelling on miller. And that's Amherst, I can spell that for you if you want, and that's A-M-H-E-R-S-T.

Rep: okay.

Plaintiff: New York

Rep: okay

Plaintiff: one, four, zero, six, eight. One, four, oh, six, eight.

Rep: one, four, oh, six, eight, okay. And uh, cell phone's seven one six, eight one two eighty two twenty four?

Plaintiff: correct

Rep: okay, alright and email is [markmacris@yahoo.com](mailto:markmacris@yahoo.com)

Plaintiff: yes.

Rep: perfect, and Anthony is your single point of contact he's unavailable at the moment hours are six to three mountain standard time Monday through Friday. Give me uh, give me three minutes, I'll take a look at your file I'll be right back on the line with an update for you okay?

Plaintiff: okay, great, thank you.

pause

Rep: Okay, thanks so much for your patience. I did review the items on (inaudible), looks like we're still trying to obtain an underwrite on your file, so we just need updated financials, your last thirty days pay stubs, your last sixty days bank statements, looks like the ones we received on file are from April 18<sup>th</sup>. Um we just need those latest instances. And also your 45 O6T it's dated for uh, it shows the years of 2013 and 2014, we need to see the last two years which would be '14 and '15. So if you could, navigate to our website, fill out our 45 O6T, and provide your signed and complete 2014 and 2015 tax return as well and we can try to obtain an underwriter for you to review any offers.

Plaintiff: Underwriter review offers for what?

Rep: Um we need to be underwritten by your financials, post verification of your financials, at that point once your in..

Plaintiff: For what?

Rep: are you requesting assistance on your home?

Plaintiff: For what? What assistance?

Rep: Wh..are you..with the purpose of your call today are you not looking for review for a short sale?

Plaintiff: Absolutely not!

Rep: Okay, so what is it you'd like to do with us today then? 'Cause we're trying to underwrite your file for your assistance.

Plaintiff: Okay well I guess, I guess, we're, we need to like completely back walk the conversation. All the paperwork and correspondence has been sent to Specialized Loan Servicing, I spoke with Tony two weeks ago about it, okay, there's an order of reference, a court order signed by your bank and your investor that was signed by a judge to remove myself from this mortgage.

Rep: Okay, we can't just remove a name from a legal document, we can't just do that, they've got it on file. Right now, for what you've sent in, you're being reviewed for a liquidation option.

Plaintiff: Okay, I already spoke with Tony about it.

Rep: Right.

Plaintiff: And this was above Tony's, this was well above Tony's head. He sent all the appropriate paperwork above; this is, let me back up a second. The bank, the bank...

Rep: I understand, what you're looking for is to have yourself removed from this loan, is that correct?

Plaintiff: Yes, the bank already approved of this, through court.

Rep: Understandable, I understand that. On that aspect, what they'll have to do to pull a name off of a loan is basically have it refinanced so they may be in process of that on the backend however (inaudible) with what I'm reviewing is a liquidation option for this home which is what I'm trying to assist you with are you not interested in liquidating this home?

Plaintiff: okay, the court or the bank already doesn't want me on this loan, not your company but the bank and the trustees and the investors and the bank already said no, I'm not privileged to this option anymore, you understand that right? I'm not trying to give you a hard time about it.

Rep: Oh no, I know.

Plaintiff: These are court documents, signed by a judge.

Rep: Right, so the party who's left on the loan will need to refinance alone in their name solely.

Plaintiff: That does not state that in the court order! I don't have to refinance or do anything! There's no court order that says that the other party has to refinance.

Rep: Okay.

Plaintiff: You do know that right? I've already talked to my attorney about this.

Rep: Okay, well we've got your information on file.

Plaintiff: if you guys don't remove me I could file a suit against you.

Rep: Okay.

Plaintiff: I really don't think that we want this involved.

Rep: Okay. I'm just letting you know what we would do on our end as far as getting a loan with your name removed. I think we're speaking the same language.

Plaintiff: Okay, it's already..I don't have to have a loan or anything to have my name removed. You have the paperwork, it was signed by your attorney, your attorney approved this.

Rep: Okay.

Plaintiff: Your attorney and the bank.

Rep: Right. My question to you is, we've moved past the fact that you want your name removed on this and your documentation for that's in process, my question is in regards to the liquidation file on your home. Do you want to sell or do you want to continue to own this home?

Plaintiff: Alright, let's get that part. What is the process now to have my name removed, you already have a court document..

Rep: I've informed you of that, Sir. Once we receive the documentation, the party left on the loan will need to refinance in their name to pay this loan off.

Plaintiff: Okay, who is the one, who is the one who says that.

Rep: That's what would need to be done for a legal and binding contract period.

Plaintiff: Okay, who? From who?

Rep: From a creditor, and that's on a legal and binding contract, period. You should speak to your attorney about the legalities on that, about having to close out one loan and redo it. They will be able to give you more details. Because you and I are speaking the same language. I'm not certain of where our disconnect is, but I understand and I have explained the process for removing your name, but my question again is in relation to the short sale on this home. Where it sits right now, we're trying to process this, and we need documents to underwrite the file, and I would need documentation from you. Is that something that you can provide so I can at least let them know on this particular item how to proceed?

Plaintiff: Okay, I have no interest in doing that because by this court order which I've already talked to my attorney about it with an attorney, I know that you're not an attorney and I'm not an attorney.

Rep: I'm not supposed to be.

Plaintiff: Okay, I understand that, but, but your bank..Do I need to reach out to your bank and tell them that you're, that you are refusing to remove me from this?

Rep: No one's refusing anything, I'm telling you the process for it.

Plaintiff: Okay.

Rep: No one's refused you anything, we've asked you a series of questions to try to help you and we're still at the first one.

Plaintiff: Okay, well I'm an intelligent person so please don't act like I am not.

Rep: It is not an insult. I'd like to move you forward and I understand what you're stating, but in relation to that, that has its' own process and that's what they are in process of right now for removing a name. But your call today was to ask for status, which is..

Plaintiff: Okay, how are they going to remove my name? That's my question.

Rep: I've explained, and I will again, to remove your name, if you sent in documentation for the court order, they will review that information. On our end, as far as a legal and binding contract is concerned, this would need to be closed out and resolved and they would bank a new loan in the remaining party's name, that is the process. Okay? Period, that's what needs to be done.

Plaintiff: Okay, so your company wants this information for her to sell it?

Rep: We need information in order to help you with a short sale and you're on this loan, okay? And you're on this loan as well. We need information from both parties. In the fact that you and she are divorced need a copy of that divorce decree as well. What she is apparently trying to do is to resolve this file so that neither of you are on it and I'm trying to move you towards that goal but we are stuck on the documentation that you sent in that we've already addressed. What I need from you, to answer your question when you called in about, what the status was of this review was, is to obtain documentation that will move you towards that, that goal. Does that make more sense, that's what we're actually trying to do right now, is resolve this, to get you to the goal that you've mentioned on this phone call. We have the paperwork; we're in need of more documentation to get this resolved.

Plaintiff: Okay, so you're saying, you're saying right now, let me just back track. You're saying right now, that with that court order that I sent, you are not removing me from this loan.

Rep: I never said that, and quite frankly Sir, if we continue to go forth in this matter, I've never said any of that. I've already advised you that and I'll state clearly what I stated to you, okay, nothing more nothing less. We have your documentation, I understand you'd like you name removed from this loan. On my end, this loan would need to be resolved in order to do that. Okay. We're in the process to do that.

Plaintiff: Okay. Alright. So the only way on your end, I understand you want to get rid of this house, you want this house sold, right? Is that what you guys want?

Rep: Sir, we want to assist you, what is it that you're looking for on this phone call today?

Plaintiff: Okay, I want this court order per your bank, per your investor; I want my name removed from this loan and all the delinquency that you have reported. By law, and by this court order that's signed by a judge, that is granted back in December. An order of reference was done. It was approved by your attorney and by the bank, by the investor, and by the trustee. That's what I want.

Rep: Okay. And we are in the process of doing so which requires documentation. Are you able to provide that documentation?

Plaintiff: Yeah but you're saying documentation for the short sale.

Rep: Right, this is documentation for the short sale and to release lament liability, period, for both parties, removing you from the loan as you've just stated. That's where we're trying to go, and that's where we're held up. So again, my question to you to get you to that goal is, can you provide the information that I've requested from you? Mark, we're speaking the same language.

Plaintiff: Okay, I don't understand why you want this documentation from me, I don't understand that, there's already a court order.

Rep: Because without it, Catherine's going to have to refinance this loan in order to pull your name off of it. Is she in the process of doing that?

Plaintiff: Okay, okay. I don't know, but..

Rep: Okay, then my answer to you would be then, to find that out. Because this is a civil dispute between you and she. As far as this contract is concerned, we've got both parties on this that needs to be resolved. And hear me out, I do understand the court order, but you have to understand we have a fiduciary responsibility, our contract is legal and binding, our contract is between you and Catherine. Your court order states whatever you and she needs to do, however that is done, that is between you and her solely. On our end, in order for us to remove a name, and hear me out, this is the answer to your question, for us to remove a name from a loan, Catherine would need to refinance in her own name or find a name to resolve it. The way that she has chosen right now, which you and I are discussing, is through short sale. And what I need from you in order to get you both to that goal is documentation from you. If that's something you cannot provide, then you and Catherine cannot go down this avenue to resolve this, she will need to refinance and that's a conversation you will need to have with her, regardless of what your attorney and the court order is saying, that is what we need. We have to have that information we can't just arbitrarily fabricate a loan just because we have this documentation, we have to resolve it, does that make sense? And so Catherine said "I want to short sale this home not to only to release Mark's liability, but mine as well." So that's where we're going with this, that's why you're under review of a short sale. Other than that, you and Catherine need to get together to figure out what she's going to do about refinancing this in her own name.

Plaintiff: Okay, okay. Right now you're talking about an agreement between her and I.

Rep: That's in your divorce decree..

Plaintiff: Right? That's what you're saying?

Rep: Your divorce decree, that's between you and she. This contract is with you and she and this home. And that's why I need documentation from you, whom is still on this loan, in order to get this resolved and remove you both.

Plaintiff: Okay, so that document was reviewed by your attorney.

Rep: I understand that, and you continue to go back to that, but the fact of the matter is, today, we're still pending documentation to get you to this goal. And sir, I can't continue to go around in circles with you stating the same thing. I'm trying to get you to your goal, and because I'm not saying what you'd like to hear, I don't think you're agreeing with me. I'm not here to tell you what you'd like to hear, I'm here to tell you what you need in order to get to your goal.

Plaintiff: Okay, this is what I'm gonna do, I'm going to contact U.S. Bank, the trustees who are holding this loan and I'm gonna have them review the court order and say that you're refusing to release me from this..

Rep: No one is refusing.

Plaintiff: You guys are!



Rep: No one is refusing to release you and if you keep putting words in my mouth sir this conversation will be done. I've never said that once on this phone call this is a recorded phone call mind you.

Plaintiff: Okay, I'm gonna contact U.S. Bank because I'm gonna tell them that you are refusing to remove me from this loan. And my attorney's going to be called.

Rep: I can understand that but no one's refused to do so on this call, I have simply asked you for documentation to get you to your goal. Do you have any further questions for me at the moment or would you like the information that is needed to process this request?

Plaintiff: No, no. I have one more question for you. Do you have the order of reference in front of you that was sent to over?

Rep: What date was this sir, we have thousands of documents here.

Plaintiff: I will tell you what date it was sent.

Pause

Plaintiff: Bare with me a second.

Pause

Plaintiff: Emailed on April 28<sup>th</sup>, 2016.

Rep: Okay.

Plaintiff: C-R-D-O-T-S @ S-O-S dot net.

Pause

Plaintiff: Do you have that document?

Rep: Mhm, I'm looking at it. County of Erie, U.S. Bank, National Association Trustee?

Plaintiff: Yes, yes.

Rep: We have that on file.

Plaintiff: Okay did, anybody read that document?

Rep: We have. Again, there's a process to everything and this is what we need sir, this is what you're not understanding, I'm not going to be able to assist you with your goal the way that you and Katherine are set out to resolve this without your assistance.

Plaintiff: Okay, this, this...

Rep: Regardless of which document that I pull up, I have it on file. And what I want you to understand is, these documents you have sent in have been reviewed and the purpose of me asking you for this is

specifically because of what you sent in. We're aware of the entire document that you sent in in this situation but to get you to that goal again, I need documentation from you.

Plaintiff: Okay, in this court document, in this court document, if you look, okay, on page three, now it says U.S., all the legals vs. Katherine, it does not say me.

Rep: Okay.

Plaintiff: I'm out of it!

Rep: Sir...sir.

Plaintiff: Back, back a few months ago, I'm out of it!

Rep: Sir.

Plaintiff: That's what I'm trying to get at.

Rep: I understand, I would speak with your attorney, I would speak with your attorney on what needs to be done, and you're unwilling to hear anything I'm saying and I'm just trying to get you to your goal.

Plaintiff: You guys are trying, what you guys are trying to do, you're trying to get this thing solved. I understand that, you're trying to do a short sale so you don't lose money on it, but, you're trying to get me involved with it to do that.

Rep: You're already involved.

Plaintiff: I'm not on it anymore! I'm not on it anymore according to this court order. I'm not on it! I can't sign anything! I'm not on the deed, I'm not even on the deed, and I was removed from the note. You do know that right?

Rep: My question to you is, are you willing to provide the documentation I've requested?

Plaintiff: No I am not. I'm not.

Rep: Okay, I will notate your file accordingly and we will proceed on our end. Do you have any further questions for me at the moment?

Plaintiff: No I don't.

Rep: Okay, thank you for your time, if you should need anything, your single point of contact is available six to three mountain standard time Monday through Friday, okay?

Plaintiff: Okay.

Rep: Okay, you have a good day, take care.

Call disconnected.

Transcript for 6/8/2016

Rep: Specialized Loan Servicing, my name is Tony, may I start with your first and last name please.

Plaintiff: Good afternoon Tony, how are you today?

Rep: I'm doing well, thank you for asking, and yourself?

Plaintiff: Yeah, I'm doing well, uh, my first name is Mark and my last name is Macris, M-A-C-R-I-S.

Rep: Mornin' Mark, how are you today...haha I already asked that, sorry it's early in the morning.

Plaintiff: Yeah, I'm well. It's early for you, its nine o'clock for me haha. Um, Tony, I'm calling to find out a little information about this mortgage situation and uh, I know there's quite a bit going on with it, do you know what the status is right now? Because I've sent in documentation to you guys about, about um courts and all that and I have not received any type of correspondence or response from your company.

Rep: Well let's take a look at a few things and see what's going on for you, okay Mark?

Plaintiff: Sure.

Rep: Let's start off on confirmation of information. So I have a cell phone number I have is seven, one, six, eight, one, two, eight, one, two, four, correct?

Plaintiff: Correct.

Rep: Would you like to add any other contact numbers?

Plaintiff: No, that's, that's my number.

Rep: Alright I have an email address of [markmacris@yahoo.com](mailto:markmacris@yahoo.com). I am your point of contact; I am here Monday through Friday mountain standard time.

Plaintiff: Mhm.

Rep: Okay let's take a look.

Plaintiff: I mean there's a pending sale on this house and I know you guys want to sign some documents and my attorney advised me not to sign anything and I just need to know what's going on.

Rep: Alright let's see here. I talked to David Serotta with Serotta Real Estate.

Plaintiff: Okay.

Rep: So, let's look through a few things here.

Plaintiff: I think all I'm needing, okay I needed a Purchase Contract Addendum, and 4506T, let's see. Sorry about this little delay, I gotta double check a few things.

Plaintiff: Mhm.

Rep: Alright, so I'm glad I'm talking with you Mark, 'cause I need a 4506T from you. Now when you say your attorney told you not to sign anything, what were they, was it anything, zip, zilch, nothing, or what, I mean, what was the meaning of it?

Plaintiff: Okay, what's a 45, what was it?

Rep: A 4506T, what that is it allows us to get your tax transcripts.

Plaintiff: Okay, for what purpose?

Rep: Well, Mark, you guys are doing a short sale right?

Plaintiff: I'm not involved in the sale, in the short sale of this house.

Rep: Mark, you're on the loan, you're involved. I'm sorry it's just as simple as that.

Plaintiff: Okay, what is the correspondence because I'm disputing this with your company. I sent an email to your company and then I sent a follow up email to find out what the response is to this.

Rep: Well what are you disputing Mark?

Plaintiff: Okay I'm disputing that I should be removed from this loan. This information, all this documentation was sent to my attorney's office in Buffalo.

Rep: Mark, I'm sorry for the interruption, I'm just gonna be very straight forwards with you, just so you know, I'm not trying to be rude, condescending or anything, I'm just a very straight forward, blunt person because I just want to make sure everyone knows exactly what's going on and we don't leave any room for questions okay? So, you and Catherine got a loan together, banks do not have to remove you from a laon, court orders can say whatever they want, a bank does not have to do that, I'm just gonna tell you the bottom line in regards to that. If we, if a bank removes one of two borrowers, they just cut their chances of getting their money back by fifty percent. So they don't do it. Okay, you can ask, your attorney can ask, it's not gonna happen. The best way to get this resolved is just work with us, get this thing sold, get it out of your name then and then you'll be done with it.

Plaintiff: Okay, did anybody review that paperwork that I had sent? The Order of Reference from the bank, removing me from it?

Rep: That I don't know. Now, what order?

Plaintiff: Order of Reference from the bank, removing me from it. It was sent to your office.

Rep: Well that might change a few things for me. Now if the banks will do it then cool, we'll go with it. When was that sent in?

Plaintiff: Back in April.

Rep: Okay, well unfortunately, so you know, I see dates and document, and it just says like Divorce Decree or something like that.

Plaintiff: It's not a Divorce Decree.

Rep: I'm just saying all I have is a list of what the document is and I have to bring it up and everything else. Now are you talking about a quit claim deed, or did the bank just say "yeah no, take him off".

Plaintiff: The bank said take off. This is on April 28<sup>th</sup> from C-R-T-O-C-S@ S-O-S dot net.

Rep: Okay, let me look for a few things here.

Plaintiff: The bank is uh, U.S. Bank National Association.

Rep: Well I got a letter here, uh, of you asking us not to report anything negative..

Plaintiff: Well there's a document that was emailed with that from the court. From the court and..

Rep: I've got it, give it just a minute here please. Looks like you got one of those rarities. This makes only about the second time I've seen this, when they take someone off.

Plaintiff: Mhm.

Rep: Alright, now that I have that whole thing, let's go ahead and get a couple things taken care of here. Alright, so..

Plaintiff: I think we spoke one other time before, Tony, and you said in your experience, you worked at a bank and you've only seen one other time that somebody's been removed from a loan.

Rep: And hence I just said, this is only the second time, so at least you know I'm consistent.

Plaintiff: Right.

Rep: Let me go ahead and get this sent off.

Plaintiff: Okay, I have a question, Tony, you and I talked before about this and you said this was reviewed. This ever reviewed by anyone at Specialized Loan Servicing?

Rep: While it should have been, let me look at a couple things here. Well I just sent information off yesterday to uh..(pause)..well I did get a response from them today because I was working on this yesterday and they were supposed to push this off to underwriting, so it has been reviewed, I'm just going to do something a little bit different here I think. Okay, what I just did was sent an email off to my processor which is the one that does the final underwriting, um, we've got two stages, we've got our intake team who says "Hey, right! We're going to push this through to underwriting". Our processor, Ashley, does the underwriting, they reviewed the file I sent over that releases the obligation off to my processor right now that will help assist her in getting the underwritten on this.

Plaintiff: Okay. So what's the end result?

Rep: Well, hopefully the end result is we get this thing underwritten, no longer talk with you, nothing against you Mark, you sound like a great guy, but if you're not on the file we don't talk any more. So being resolved is exactly pretty much what you're wanting, be removed, we don't deal with you any more we only deal with Catherine and I can let you know at this point in time I told David Serotta what I need for an offer so that I can go ahead, once underwriting's complete, and get this thing submitted.

Plaintiff: Yeah I don't even know David. I guess, is he the realtor on this house? Or is he the attorney?

Rep: Realtor.

Plaintiff: Yeah I don't know who he is so. Alright, how long is this process going to take? Do you have an idea on that?

Rep: Which process, getting you removed, the short sale..?

Plaintiff: Um, me removed from this, my credit corrected, all that stuff.

Rep: Okay, for you to be removed, um, I don't deal with that or the credit but I'm going to say, in regards to having you removed, that's going to be roughly a week, give or take, uh, like I said I don't deal with that aspect. What they'll have to do is confirm that documentation then turn around and say "Well, we gotta get him removed", then they gotta update everything, uhm. So, that's roughly a week and in regards to credit, I'm not even gonna dip my toes in that but the best I could say is within 30-60 days, the reason I'm giving that time frame is, even though, hypothetically let's say we tell, we decide okay, we're not going to report, we're going to correct now, depends on the time frame of when we do our reporting 'cause typically most companies they do within one week, they report all of their Plaintiffs for that month. So if it's just for the reporting, they gotta go ahead and get everything set up, probably for the next reporting they've gotta get everything cleared and changed and have it taken care of that way. So it's really going to depend on the time frame of when they do the reporting. Now, could they just turn around and say "Ooh, hey! We gotta correct this like right now", possible.

Plaintiff: Right, right, it's gonna depend on who gets this done at the right time.

Rep: Yes.

Plaintiff: Alright, so how do I correspond, how do I check back on all this? Who do I contact just to make sure this is getting taken care of?

Rep: Well, with a couple of these things, looks like I need to do a couple other things. But I'd say just about once a week, give a call. If you get through to somebody, you're not removed. If you don't get through to somebody and just get sent to a generalized place, you're removed.

Plaintiff: I see, right.

Rep: Because once we remove you once you put in the loan number and you're social it's gonna be like yeah you're not authorized.

Plaintiff: Right, right. Right. Well, I have another thing. I spoke to another person in your department, his name is James.

Rep: Yes.

Plaintiff: Roughly a month ago, I corresponded this document with him and he said basically that it didn't have anything to do with this court document. I tried to explain to him and said look, this is set up by the bank, the bank is removing me from this obligation. It got a little bit of a heated discussion, I should say. So I don't know if he looked at it or he uh, more or less initially said, "Well, no, you have this, you have that" and I'm like no. I don't know, I don't know what your process is for things like this but what you're saying that the bank, which according to my attorney too in Buffalo, who has reviewed this has said "No, Mark, this is done by the bank so you should be removed from any delinquency or any obligation of this mortgage. So the bank is actually removing you, not the mortgage broker". Which you're the mortgage broker, you're not the bank. So apparently, this is all set, I'm going to be removed from it.

Rep: As far as we can tell, yes.

Plaintiff: Okay.

Rep: Because, like I said, only one person can remove you, that's who holds the loan..

Plaintiff: That's the bank.

Rep: And we got documents in regards to, being they said "Yep nope, we think he needs to be removed". So, how do I phrase this, it's their loan, we're the servicer, they tell us to remove, we remove.

Plaintiff: Right, right, you're a broker. Right you're the broker, right?

Rep: I wouldn't necessarily say a broker, we're a servicer. So what the bank says is "Hey, I got these loans I want you to take care of". And then we service them.

Plaintiff: Right, they're the ones who the money's owed to and you get a commission obviously for your services.

Rep: Well something along those lines, I don't know the full (inaudible) part of it.

Plaintiff: General terms. No, I used to work for an insurance broker so I'm kind of familiar with servicing and brokerage so, okay. Well, I guess then I'll have to just sit and wait and check back in a week maybe? Is that the best course that I should probably do, uh, Tony?

Rep: Right now I'm gonna go with a yes, uh, because I'm getting the document sent off, I'm also involving my supervisor in regards to this to assist me in getting the documents to the appropriate department for you so we can try to get this all resolved for you.

Plaintiff: Right.



Rep: I'm sorry, apparently last time we talked I, I'm gonna go with I didn't quite grasp the conversation, Mark, my apologies. Uh, either I didn't quite understand the documents and realize that it wasn't just a court order, that it was actually via they doing it. So again Mark, my apologies, I didn't get it resolved appropriately before.

Plaintiff: Right, right I mean when my attorney reviewed it in Buffalo, at Kenneth Hiller, he said "Mark, they gotta remove ya", but he's an attorney and that's what he told me. And he said "Follow up with them and if they want any documentation signed, then don't sign it." As far as the tax information and all that, he said "Don't sign anything. If they don't work to get it removed.." then obviously it's a whole legal thing that goes on from there, so.

Rep: Oh yeah.

Plaintiff: So yeah, I mean to be honest with you, Tony, he said "If you dispute it and they don't remove it.." then I could pursue legal action and...I don't want to do that. So.

Rep: I don't wanna be the cause of that either.

Plaintiff: Cool, cool.

Rep: I'd rather you and I get along for the next week, maybe two weeks, and then, again, nothing against you Mark but, we never talk again.

Plaintiff: Okay, haha, maybe. Maybe I get a loan in the future? I don't know. Well that's what I'm looking to do, I can't get a loan right now because I'm on this mortgage and it shows that I'm \$143,000 in debt and \$143,000 in delinquencies so somebody would pretty much laugh at me if I wanted to get another mortgage right now.

Rep: Well, hey, Mark don't forget to throw in there that the property's also in foreclosure.

Plaintiff: Exactly, and that doesn't look too good on any credit report.

Rep: Why no, no it doesn't and there's not a lender out there that would look at you for another loan with that on your credit.

Plaintiff: Nope, no, and luckily my ex-wife who has this house and is selling it is living with somebody so she doesn't have to worry about getting another mortgage. But, that's not my problem.

Rep: Well upside, she's working with us to try to get this done and out of everybody's names, uh, even though yours should be removed her hopefully soon, uh like I said I've already reached out to my supervisor to see about this, to see if there's, make sure we get the documents to the appropriate department so that they can go ahead and get this resolved.

Plaintiff: Right. Right. Right. Hey, Tony, I got a question, if, if you, how does it work, I don't know if you can tell me or not, but obviously there's a lot owed on this house and if she sells the house and there's a gap there, you have to work with the attorney on it to just go over what is owed?

Rep: Nope, Nope.

Plaintiff: Or how does that work?

Rep: Okay, basically what happens is we go out, we get evaluation of property, k?

Plaintiff: Mhm.

Rep: And I'm just gonna throw out some abstract numbers that are not relative.

Plaintiff: Right.

Rep: Okay. So let's say we think the property's worth 100 grand. So, and let's say you owe 200 grand on the property, that's for a payoff.

Plaintiff: Mhm. Right.

Rep: We're not gonna be asking for the full 200 because the house will never sell, it's only worth 100 so that's what we're gonna be looking for.

Plaintiff: Right.

Rep: And this is a magical deal where we get the full 100 grand, okay?

Plaintiff: Mhm.

Rep: So, the property gets sold, we get 100 grand, so that leaves 100 grand hanging out there in the middle of everywhere. This is where you should be very happy Mark. At that point, typically we do not go after the sellers for that 100 grand, but what we do is send out a 1099 for that 100 grand. So essentially that 100 grand is not income for, in this instance it would be for Catherine. Normally it'd be for you and Catherine, and you would have to report it on your taxes.

Plaintiff: Right.

Rep: So you kind of dodge one by being removed from the file because she then needs to deal with it.

Plaintiff: So she would be responsible, so that 100 grand you reported income to the IRS?

Rep: Yes sir.

Plaintiff: So if she owes 100,000, that's quite a bit in taxes.

Rep: Yes.

Plaintiff: She's gonna end up owing the IRS that money.

Rep: Yeah and that's what, about 15-20%?

Plaintiff: Um, I don't know exactly.

Rep: I'm just kind of shootin' from the head, I haven't done self-employment taxes but if I remember, it's right around 15 to 20% of the income you have to pay how much your taxes are. So in this instance it's right around 15,000 to 20,000 for that.

Plaintiff: Right, right. And the IRS is not gonna relieve you from that, not like the bank would.

Rep: What was that? Excuse me Mark?

Plaintiff: The IRS won't relive you from that like a bank might.

Rep: Um, that's a toughie because, and this is just what I've heard, I can't guarantee this in any way, shapes, or form, with, there's been a federal program that they may or may not continue for this year, I don't know, but there's a specific code or something you put in when you're doing your taxes and you actually don't have to pay taxes on that. But I don't know exactly if that's gonna go through or not. Um, if a bank doesn't report you for it then yeah, the IRS isn't gonna know about it. But, 99.9% of the time the bank's gonna report it because tht allows them to, won't necessarily say recoup, but account for some of their loss, so it limits it.

Plaintiff: Right, no I see, it's, they report it too, obviously they can be audited and they would wanna, "Okay, there's \$100,000 that we lost here, what'd you do with it?" and they can say "We reported it to the IRS and that's the way it goes." I hear ya there.

Rep: A lot of it is taxes, because you guys become, essentially, kind of like a subcontractor because they gave you the money, so instead of a loan that they're gonna be making money off of, now they're just calling it that they gave you money for.., and that's where the 1099 comes in.

Plaintiff: Right, right. No and, the reasoning, and I don't wanna keep you too long, but the reasoning over this whole thing is when I was working with Davison Fink on this, who was the foreclosure attorney, their attorney really kind of, kind of spoke to the bank and the investors and said, provided them with some affidavits and documentation and said, that "We don't think that", that me, personally, "Should be responsible for this." But that's what attorneys do.

Rep: You pay them money and most of them try to earn the money and get you taken care of.

Plaintiff: Right, right. So, but anyway. Okay Tony, well I'll just, uh, check back in a week, week, week in a half and see where we are with everything. I really appreciate your time and your professionalism with this and uh, hopefully we can get this thing resolved and SLS will be happy and everybody will be happy.

Rep: No problem, Mark, and just kind of a recap, I sent that document off to not only my supervisor but also my processor. I've also set the file for my processor to review to go ahead and move forward. Just and fyi, more than likely there's going to be a delay, because technically you're on there so we may have to get you removed before we can get the underwriting done and move forwards, don't know, as Ive told you a couple times, this is an oddity, so it's a little diffuclt for me to give you a good timeframe because this sort of thing just doesn't happen.

Plaintiff: Mhm. Now my professional job is I audit insurance companies and working with insurance companies, banks, it's just a whole different ball game. I could tell you some stories.

Rep: I bet we could sit here for hours swapping stories.

Plaintiff: Well I know you work with banks and I deal with insurance companies and I could tell you some of the things that insurance companies do and you would probably scratch your head like the stories you would tell me about banks.

Rep: Yep.

Plaintiff: So, we'll leave it at that, they do some strange things.

Rep: Yes sir, I agree.

Plaintiff: Okay Tony.

Rep: Is there anything..

Plaintiff: Nope, nope, you have a pleasant day and thank you again for your uh professionalism.

Rep: No problem, Mark. I do appreciate your time, patience, and understanding on this, and I hope you also have a wonderful day sir.

Plaintiff: Okay. Buh-bye.

Rep: Bye.

Macris 6/9/2016

Rep:

Specialized loan Servicing my name is Tony may I start with your first and last name please.

Plaintiff:

hey, hi Tony this is Mark Macris calling we spoke yesterday morning.

Rep:

Ok.

Plaintiff:

A a about with my account with you guys.

Rep:

Hm hm

Plaintiff:

Um, I don't know if you remember the conversation we had but a I had a question for ya. The last correspondence that I received, written correspondence was a May 23<sup>rd</sup> regards to my dispute with this and the a letter I received shows Patricia teller ID 30614 it said that everything has been reported correctly and that I am still listed on the account. With our conversation yesterday you said that you said that not correct. So I just want to know what transpired and what changed?

Rep:

Well let me take a look here, to answer your questioning I'm doing well , thank you for asking and you sir?

Plaintiff:

I'm good, I'm good

Rep:

Good. So alright, so Mark contact number for you 716-812-8224 correct?

Plaintiff:

Yes.

Rep:

Would you like to add another contact numbers

Plaintiff:

Nope, I don't have any more contact numbers.

Rep:

Ok, ya know for you, for the file [Markmacris@yahoo.com](mailto:Markmacris@yahoo.com) as you already know I am your point of contact I am here from 6-3 mountain standard time. Do remember your call and I told you as far as, it looks like a good thing. I sent off an email to my supervisor to go ahead and request some assistance on this. I have not gotten a response back from her in regards to this. So let me see if I can find that letter and see actually what is going on. So you said yesterday you received one?

Plaintiff:

Now this was a letter, I guess you have been sending all of the correspondence to 403 Teakwood Terrence all the mailing and correspondence?

Rep:

No, this I can't see so let me check before I give you a blanket no. yeah, actually you are right we have been sending everything there. Everything should be going to the house.

Plaintiff:

Ok, I haven't lived there in almost 8 years I just received this from the other party, this letter.

Rep:

Ok, what was the letter you received the other day stating then?

Plaintiff:

I just received this letter says this letter is in response to your written request received by SLS on May 2<sup>nd</sup> regarding your request to be removed from the above referenced account. After review our records it has been determined that both parties listed above executed the note and Deed of Trust mortgage when the above referenced mortgage was originated. Enclosed is a copy of the Note, Deed of trust mortgage, payment history and transaction codes for you reference. SLS is unable to accept the court documents you sent to remove a party from this loan. SLS is a third party mortgage loan servicer and does not offer refinancing. In accordance with the fair credit reporting act, SLS is required to report payments and account status accurately. It has been determined that SLS has forwarded account information to the credit reporting agencies accurately and we have not discovered any inaccuracies in the information that we have. So this letter says that these court documents I had sent in a are invalid from the bank.

Rep:

Hmmm, can't find that one, like I told you Mark yesterday. I that's kind of a Buz that Bugs me I'm not an attorney so all I can do is say "ok" I see what you're talking about . A and all I can do is forward that off to my supervisor and like I said unfortunately I never got a response in regards to that. Sounds like she may have just went ahead and taken care of it for me. And escalated that I kinda of find it interesting that ALL that would have transpired so quickly. I think what I should do, is I can go ahead and communicate with my supervisor when she gets into and find out if she did send , if she follow up on that. Um, and see what the next step is in regards to this.

Plaintiff;

Yes, yes, because this is the last correspondence or this is the last correspondence this letter is dated May 23<sup>rd</sup> which is, so just a little bit over like 2 or 3 weeks. There's something, there's something missing here either something has changed, and something has changed and I would like to know specifically what the status of this.

Rep:

Let me look at a couple things here.

Plaintiff:

Who , who makes these determinations, I mean who incorporates court documents and all of the information with regards to this.

Rep:

That is going to be I believe the legal department to review it and all of that.

Plaintiff:

I don't know if maybe possibly that this court document should be reviewed by your legal department. Or just some customer care support person looked at it and said "NO".

Rep:

I can't comment on that unfortunately sir.

Plaintiff:

Right, I don't know what that process is but , I know it's an internal process but. I guess to say if a Plaintiff sends in some types of court documents that not to say a customer care support person is not important but, somebody that a little more qualified and can understand and interpret the law and the courts would look at this.

Long pause

Plaintiff:

So you don't see any new information about it.

Rep:

No I'm actually reading that letter.

Plaintiff:

Ok

Rep:

So what I will do for you Mark is that I will go ahead and talk to my supervisor in regards to this. As I said I can't give you any answer or clarification on this or anything like that because well I don't make those decisions. All I can do is get, make sure that I get out the documents out to the appropriate individuals. And try to get it resolved that way, beyond that I'm a call center agent sir, I make no decisions.

Plaintiff:

Right, right, I understand that.

Rep:

So I will go ahead and follow up on that see if there's anything regards to this that I can do. But beyond that I don't have an answer for ya sir.

Plaintiff:

Now Tony you looked at that documents from the bank. If you look at that document from the bank, the bank said I don't have to be part of this anymore. So they said, so why would specialized I don't know if you can answer this, why would specialized loan servicing look at that and say well it seemed to me that there, that somebody in the office there is ignoring this. That's what I don't understand. Trust me I'm not an attorney but like I said my attorney looked at this and said Boom! They have to remove you this is done by the bank and this is signed by a Judge. According to him that specializes in this, if a judge if a judge if a bank says that they need that we can do this and a judge signs it. That's a done case.

Rep:

Hmm, as our original conversation went along I only saw it happened once. This time around like I said I the technical jargon that they utilize with it but documents it's hard for anyone to follow in regards to what you're saying whether I agree or not I don't make the decisions. Like I said I'll do what I can to get it up to the appropriate people so that we can make sure I mean I saw that letter that it appears that they did reviewed it and they said no. like I said I will try to get it to the appropriate individuals because I did talk to a few other individuals not the appropriate ones just to see if anyone had seen anything like this and knew where to get it sent off to make sure it got reviewed. But unfortunately Mark I, I don't



know what to tell you boss. This is one of those that, I understand what you're saying I get the implications on there. I'm obviously really curious to why if the bank said to do it why the bank just didn't do it. Cause typically you don't need a court order to do that. As I had mentioned to you the judge can tell us to do whatever, but, you signed the note but, if the banks agrees that a whole different story. So.

Plaintiff:

But the bank agreed.

Rep:

That's um, that's why I'm going to go ahead and see about getting this escalated up to try to get this thing taken care of.

Plaintiff:

Yeah, cause I mean, can you do me any a favor Tony? I hate to say it but, this has to go to my attorney, he's going to look at this and it's not going to be a pleasant thing. Um, can you send all the relevant documents? I never received mail correspondence from you guys, nothing what's so ever. And I need to gather that information and I was hoping if it possible if you could email all that information to me or.

Rep:

All the information?

Plaintiff:

All the documents that SLS has corresponded to me, because I have not leave at Teakwood Terrace so I don't get any of the mail. My attorney will have to see everything you guys have sent me.

Rep:

Ok that, if you have some in particular I can request . let me give you a real quick estimate here. There's been about 10 documents sent out in the last 30 some days. To try to get everything sent out I do not have the capability to asking to resend every single document sir. I am sorry Mark, if you have specific documents you want to request I got no problem doing that, requesting it. But trying to get every single document, every single one that's just not gonna happen.

Plaintiff:

Well maybe I could do this, I have the email address, maybe I could email. Send an email off to who would it be, customer care support to do that, that way you don't have to worry about stuff like that.

Rep:

Well there is a couple things,um, what you can do. I'm going to give you a different fax number ok? Let me know when you're ready Mark.

Plaintiff:

I don't have a fax machine.

Rep:

Well your attorney does? Somebody at, I mean , unfortunately the fax number I'm going to give, I wanna give you is our dispute department. That way we can make sure we are going along the proper route. From what I can see they've had it.

Plaintiff:

They even, they even sent me back the. I emailed them and sent in this court document rather than fax it and when I spoke to somebody there they said yes you could send email correspondence so they received it. Because they received this dispute. I had to send the dispute to the account service department . I already sent in that. I just want to see if I can get all the documents or would they send them to my attorney?

Rep:

You can request that. I don't have an answer for that I'm not in that department never have been. So I don't know.

Plaintiff:

Alright , alright, ok, well my attorney is local here so I will contact there office and I will give this documents to them first. But I can't sit around I can't sit and wait around. Like I said Tony it's I don't want to waste your time don't want to waste my time or any bodies time but, I can sit around and wait on this all day.

Rep:

I understand what you're saying , I can't argue with you. You're gonna do what you need to do to take care of yourself , understandable sir. Have to go along with that, I do have to say we need a 4506D from ya. It's part of my job to let you know what documents are missing. But go ahead and do that and I will try working on this end and it sound like with them sending something out along those lines that they reviewed it but, I will go ahead and see if there are any other additional things that I can do get it to a different individual or something along those lines.

Plaintiff:

Right right it's not your department I know that. So, but from me reading this they are not agreeing with it or it's not that there ignoring it but there not agreeing that the bank wants me removed. That's what I don't understand. So.

Rep:

So I know a few people and I'm working on that right now. I'll see if I can talk to certain individuals and see if there is anything I can get taken care of. I'm not going to make any promises but there is someone that I. oh, there not in the position they were in before dang it.

Plaintiff:

Oh you mean up in your company?

Rep:

Yeah, I personally know a few people here and the individual that I was just about to contact, I didn't realize that she changed departments. She used to be in assistance and legal department now she moved over to another department. She was one I thought would be a good one to approach. So I guess I will have to wait for my supervisor to come in I will talk with her. So I'm not going to make any promises because Mark I wish I could, but I will make sure the appropriate documents are in the right hands. beyond that my apologies Mark. I'm unable to make, do anything beyond that.

Plaintiff:

Ok ok I will follow up with ya, hopefully something is gonna give here, obviously.

Rep:

I understand, well let go ahead and you talk care of your end you need to and I see about taking care of, see if I can get anything else address or taken care of in regards to this for you ok?

Plaintiff:

Alright alright sounds good

Rep:

Anything else that I can assist you with today.

Plaintiff:

Not right now.

Rep:

Thank you Mark I hope you have a great day sir.

Plaintiff:

You to , bye bye



Transcript for 7/19/2016

Rep: Thank you for calling Specialized Loan Servicing, my name's Sierra, can you verify your first and last name for me please?

Plaintiff: Um, hi. My first name is Mark, my last name is Macris.

Rep: Okay, the purpose of your call today, Mark?

Plaintiff: Um, I don't know, you're office called me but didn't leave a message.

Rep: Okay, just to confirm, we called the cell phone? Were there any other numbers to reach out to besides the cell phone?

Plaintiff: Uh, no, you called my cell phone this morning.

Rep: Okay, so we were calling on behalf of as long as the account shows in default or in negative account status or foreclosure, the system will prompt to call you. Um did you apply for any assistance recently?

Plaintiff: Um, assistance as far as?

Rep: 'Cause I mean what are your intentions with this property?

Plaintiff: Oh, is that why you were calling this morning?

Rep: Right.

Plaintiff: Okay. Um, I don't know what the status of the property is, because apparently the property was being sold.

Rep: Okay, the property hasn't been sold yet, and so that's why we were calling. So it's an active foreclosure, there is a sell date reflecting the 27<sup>th</sup> of September, uh you still have time if you wanted to look into apply for assistance if your intentions is to keep the property. Is it occupied right now or, what is the status?

Plaintiff: Okay, can you do me a favor; could you email me all the correspondence on this?

Rep: We can't email you, but we can, we've already mailed you several documents on behalf of this property. To the mailing address..

Plaintiff: Okay but I don't get any of the mail 'cause I don't, I haven't live at that property in eight years.

Rep: Okay so that's what I'm asking, the mailing address is showing 403 is it Teakwood Terrace, Amherst, 14221?

Plaintiff: Right but that's not the right mailing address.

Rep: What is the right mailing address?

Plaintiff: Okay my mailing address is 270 Miller Road.

Rep: Okay.

Plaintiff: 270 Miller Road, that's in Amherst, A-M-H-E-R-S-T.

Rep: Okay.

Plaintiff: New York. 14068.

Rep: 270 Miller Road, Amherst, New York, 14068?

Plaintiff: Yes. Yeah, whatever correspondence you can send to that address because I don't receive anything from Teakwood Terrace.

Rep: Okay. So I did update that so now you should be receiving documents.

Plaintiff: Yeah, whatever document that you sent out to me were you sending them to that address?

Rep: I can go ahead and request that some of the documents to go ahead and be sent out to the new address, 270 Miller Road, Amherst.

Plaintiff: Right. Now, I have access to an online account through Specialized Loan Servicing but I can't access any of these documents that you've sent out?

Rep: Mhm. Um I don't think you can, I think it's just correspondence by mail.

Plaintiff: Mhm, okay. Now what exactly do you see the status of this mortgage with Specialized Loan Servicing?

Rep: Once again, it's in active foreclosure with the sell date reflecting the 27<sup>th</sup> of September. Um so is this property still occupied or no?

Plaintiff: Okay, so on the 27<sup>th</sup> of September, what happens?

Rep: It goes into foreclosure, it's gonna be sold. It's already in foreclosure status right now but there's a sale date, so it goes up for auction.

Plaintiff: On the 27<sup>th</sup> of September.

Rep: Yes.

Plaintiff: Okay.

Rep: Is it still..you said you don't live at the property for over eight years, who lives there?

Plaintiff: Uh, nobody lives there haha.

Rep: Okay so it's vacant?

Plaintiff: Nobody lives there for as far as I know. I will tell you that, haha.

Rep: Okay.

Plaintiff: I don't know if there's anybody that lives there, there could be.

Rep: Okay.

Plaintiff: So one the 27<sup>th</sup> of September that's when you are supposed to come in and sell the house?

Rep: Yes.

Plaintiff: Okay. Alright. Yeah, if you could send me any relevance documents and...um so you're just calling to see what I want to do about the mortgage?

Rep: Yes.

Plaintiff: Okay. Can I have your name and ID please?

Rep: Yes, my name is Cierra, ID's 30923. Um and so what are your intentions, so you don't live there, so did you want to proceed with the foreclosure, or you wanted to try to keep the property?

Plaintiff: Okay. Um, I'm not specifically sure yet, so I will uh, once I find out a little bit more information about this then I can probably contact you.

Rep: Okay, I'd like to just give you a heads up, Mark, um you know time is of the essence so the minute.. you know anything that you're requesting as far as a modification or let's say you want to keep the property to put the funds on the back of the loan to extend the loan to continue where you left off um that, this application has to be submitted in 38 days prior to that sale date so now's the time to request any assistance you need to, otherwise you need to look into refinancing, with the lender of your choice or you need to look into reinstating, with bringing the account current. It's up to you. Um, is there a reason you left the property from jump?

Plaintiff: Okay, well it's a real long story and I talked to Tony about it before, uh, I guess Tony works in your department?

Rep: Probably, yeah, single point of contact, yes.

Plaintiff: Right, he was the kind of, contact, right. Okay, well I will get back to you on that, I need to speak to the, uh, my ex-wife about that, see what her intentions are, so.

Rep: Okay.

Plaintiff: Okay, so Sierra, S-I-E-R-R-A?

Rep: Yes.

Plaintiff: Okay and 3-0-9-2-3 is your ID number? Just so I can...

Rep: Yes. So the next time you call you won't get me, we can't forward calls like that in my department. I'm in the collection department so you will get the next available agent to assist you but I will thoroughly notate the account.

Plaintiff: Okay. You're in the collection department?

Rep: Yes.

Plaintiff: Are you in the same department as Tony?

Rep: Um I'm not sure who Tony is, possibly.

Plaintiff: Alright, he's like a resolutions specialist, I don't have his –

Rep: Okay.

Plaintiff: So the 27<sup>th</sup> of September, you're supposed to go in and sell the house?

Rep: That's what the system is reflecting so there's a foreclosure attorney assigned to the account; did you want me to provide you their information as well?

Plaintiff: That's Davison Fink right?

Rep: Yes.

Plaintiff: No, I'm familiar with them, I've already spoke with them.

Rep: Alright, is there anything else I can assist you with today, Mark?

Plaintiff: No that's all, thank you.

Rep: Have a nice day, buh-bye.

Plaintiff: Okay. Bye.



Transcript 7/26/2016

Rep: Hello?

Plaintiff: Hello.

Rep: Hi, may I please speak with uh Mark uh Macris?

Plaintiff: This is Mark.

Rep: Hi this is Jackie, I'm calling from Specialized Loan Servicing, how are you doing today?

Plaintiff: Jackie, how are you doing today?

Rep: I'm doing great, thank you for asking. Uh just real quick this call, I'm sorry, for your protection I must advise you that this call is to collect a debt and any information obtained will be used for that purpose. In addition the call will be recorded for quality assurance purposes. If you do not wish to have this call recorded, please let me know.

Plaintiff: Okay.

Rep: Okay, thank you. So I am calling in regards to the property at 403 Teakwood Terrace, just to follow up on the delinquency on the account. I do see here that it's delinquent, uh, 2,490 days. Also there's a foreclosure sale date of September 27<sup>th</sup>. So I was just trying to see if you were interested in doing a short sale or what you plans were for the property?

Plaintiff: Okay, so you're saying that this house will be foreclosed on. On September 27th?

Rep: That they do have a foreclosure sale date set at this time, correct.

Plaintiff: Foreclosure. September. Twenty-Seventh. Okay. And what is the balance that's owed?

Rep: I can tell you, it won't be the full payoff quote, but I can tell you what the past due is, if that's okay? Um—

Plaintiff: Okay, can you, is there any way you can send me this information instead of over the phone?

Rep: I can send you a payoff quote if you'd like? Do you have a fax number I could send that to?

Plaintiff: I don't have a fax machine, how about you email me the information. All the information that you have, you can email it to me.

Rep: Okay, so I can only, for payoff quotes I can only send it through fax or by regular mail.

Plaintiff: Okay, you don't have email? You don't have email there.

Rep: Not for the payoff quotes, no.

Plaintiff: Okay. You don't have email at all, you can't just email me a document?

Rep: I personally cannot, I don't have outside email access, I have to submit a ticket for them to send you out the payoff quote and that would be through fax or regular mail.

Plaintiff: Okay. Alright, well why don't you mail me all the relevant information so I can look at it.

Rep: Okay...

Plaintiff: Foreclosure information, whatever you have you can mail to me.

Rep: Okay..

Plaintiff: I don't have a fax machine.

Rep: Okay so you should be receiving the foreclosure information. Um but what I was calling about was the delinquency and seeing if you were interested in doing a short sale and if you had the property listed?

Plaintiff: Okay. Well I need you see this information first.

Rep: Okay.

Plaintiff: I need to see all this information in writing.

Rep: Okay, so you haven't been receiving notices of the account being delinquent or anything like that?

Plaintiff: No, no you keep sending stuff to 403 Teakwood Terrace; I don't live at 403 Teakwood Terrace.

Rep: Yeah, we have to send it to both, to the property and your mailing address. I have your mailing address as 270 Miller Road in Amherst, New York 14068. Is that correct?

Plaintiff: Yes. Send all that information there.

Rep: Okay. And then I have the phone number I reached you on, is there any other phone number you like to add to the account?

Plaintiff: No.

Rep: Okay. Email address we have on file is [markmacris@yahoo.com](mailto:markmacris@yahoo.com)?

Plaintiff: Correct.

Rep: Okay, so I'll go ahead and submit the request for them to go ahead and mail you out the payoff quote. I can't do anything with the foreclosure information because that comes from the foreclosure attorneys. I can give you their phone number if you'd like.

Plaintiff: Davidson Fink, I already have their information.

Rep: Okay. Okay well thank you so much for taking my call.

Plaintiff: Okay, what's, Jackie can I have your last name please?

Rep: I can give you my ID number, it's 10489.

Plaintiff: 1-0-4-8-9. You can't give out your last name?

Rep: No.

Plaintiff: 1-0-4-8-9. Great. Okay, thank you.

Rep: You're welcome, have a great day.

End.

Macris - 11/29/13 Part one

Rep: Good Afternoon, My name is Donald. Can I have your full name please?

Plaintiff: Hi, Donald my name is Marc Macris.

Rep: Hold on one second. How do you spell your last name Mark and who are you with? Is there a particular company?

Plaintiff: Apparently I used to have a loan with you guys and I was calling to see what was going on

Rep: okay, hold on. The reason I was asking is because when the call came in everything was blank. There is no information on here. It says account it not active.

Plaintiff: okay, how did that happen?

Rep: Well the only was got that to have happened would basically ... oh, yeah I see. Because there hasn't been any payments on this since August of '09, So It looks like they have taken the property back.

Plaintiff: So you don't even have the property anymore?

Rep: Well, no. It shows me that its RAO, which means real-estate owned. Is the Teakwood Terrace Amherst NY?

Plaintiff: Yes

Rep: Now I got something, Markmacris@yahoo.com , #1800569 no reason to give you this since they have already took possession of the home. How this has happened is you haven't made you loss of income is that true?

Plaintiff: I'm sorry what?

Rep: How did this all occur? How did this happen? What caused it? Was it loss on income? Or...

Plaintiff: Well this is a super long story but we got divorced and my ex-wife had the house. But according to specialized loan servicing I was still responsible for the debt.

Rep: Okay, You know what, let me try and get you over to the real-estate owned department, okay. Hold on. That's who you're going to have to talk to but your options are very many right now. You could pay the loan off or there is a redemption period but you would have to come up with a little bit over \$170,000 bucks. So hold on.

Plaintiff: Are you still showing me as responsible for this loan?

Rep: Hold on, Well I'm not sure. Let me get you over to the department who actually has the account and they can probably tell you more about if your financially responsible and the other stuff.

Plaintiff: OK

Rep: Here we go, Thank you

END

Macris 11/29/2016 Part 2

Rep:

Thanks for SLS my name is Darchelle can I have your loan number please?

Plaintiff:

I don't know my loan number I was just transferred from the customer care department to find out the status of my property.

Rep:

Ok, let me can I get the property address?

Plaintiff:

403 Teakwood Terrence that's in Williamsville NY 14221

Rep:

14221. .... Ok, what is your name sir?

Plaintiff:

My name is Mark Macris.

Rep:

What information are you trying to obtain today?

Plaintiff:

Well I'm just trying to find out what is the status of this property in Sloan?

Rep:

Unfortunately all I'm able to pull up is that the loan as a whole from my understanding with these properties you would just have to wait for a for sale sign in the lawn or in front of the house. Then you can reach out to the realtor and then they will have all the information about the property that for sale and things like that.

Plaintiff:

Well I know the properties for sale I've seen the sign on the property.

Rep:

Ok, did you reach out to a realtor?

Plaintiff:

No I didn't reach out to them, no I didn't reach out to the realtor, no. I want to know, I want to know, I want to know what's the status of the loan?

Rep:

Unfortunately I am unable to pull up the account at all, I understand from when the call came in says the call that you were calling in regards to a real estate property. As far as finding out the status. Ok.

Plaintiff:

Well I just spoke to customer service and they said that you would know the status of this loan and property.

Rep:

I do apologize as about that misinformation, as far as getting the status of the property you would have to reach out to a realtor.

Plaintiff:

Well who owns the property now?

Rep:

SLS owns the property

Plaintiff:

Ok , alright you still show a loan for the property?

Rep:

No

Plaintiff:

Ok , so what about the loan for the property, what happens to the loan?

Rep:

I'm really unsure what happens to the loan. Right now all I know is that we own the property. And you have to reach out to a realtor in order to a.

Plaintiff:

Well you can I talk to in your office that I can tell me about the outstanding loan.

Rep:

Nobody in our office will be able to um as far as that outstanding loan. Because there is no loan, it just says that it's a property and it say it's real estate owned.

Plaintiff:

Ok, so you're saying that SLS owns the property now. How did SLS take possession of the property ?

Rep:

It was foreclosed on and went through the foreclosure proceedings and nobody bought it . So we took ownership of it.

Plaintiff:

So what day was it foreclosed on?

Rep:

Um that I'm unsure of, all I'm able to see is that it is real estate owned. That's all the information that I have up on here.

Plaintiff:

So you can't even tell me when the property was foreclosed on.

Rep:

No sir.

Plaintiff:

Who would have access to that information?

Rep:

A realtor would have access to all that information.

Plaintiff;

Ok, a realtor would have that, ok is that all the information you have?

Rep:

Yes sir.

Plaintiff:

Ok, alrighty well that's all I needed to know. Have a good day.



Rep:

You too, and thank you for calling in.

Plaintiff:

Bye bye

Rep:

Bye